

1 BILL NO. Z-84-02-21

2 ZONING ORDINANCE NO. Z-04-84

3 AN ORDINANCE amending the City of
4 Fort Wayne Zoning Map No. Q-10.

5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
6 INDIANA:

7 SECTION 1. That the area described as follows is hereby
8 designated an R-3 (Multiple Family Residential) District under the terms
9 of Chapter 33 of the Code of the City of Fort Wayne, Indiana of 1974:

10 Part of Section 6, Township 30 North, Range 13 East,
11 in Allen County, Indiana, more particularly described
12 as follows:

13 Beginning at a point located 30 feet South and 639.54
14 feet West of the Northeast corner of Section 6, Township
15 30 North, Range 13 East, in Allen County, Indiana, said
16 point being the intersection of the South right-of-way
17 line of Lake Avenue and the West right-of-way line of
18 Maycrest Drive; thence West along the South right-of-way
19 line of Lake Avenue and parallel to the North line of
20 Sec. 6-30-13, a distance of 160 feet; thence South with
a deflection angle to the left of 90 degrees 29 minutes
20 seconds a distance of 220 feet; thence East with a
deflection angle to the left of 89 degrees 30 minutes
40 seconds a distance of 160 feet to a point on the West
right-of-way line of Maycrest Drive; thence North along
the said West right-of-way line a distance of 220 feet
to the point of beginning, containing 0.808 acres

21 and the symbols of the City of Fort Wayne Zoning Map No. Q-10, as established
22 by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana
23 are hereby changed accordingly.

24 SECTION 2. That this Ordinance shall be in full force and effect
25 from and after its passage and approval by the Mayor.

26 Janet G. Bradbury
27 COUNCILMEMBER

28
29 APPROVED AS TO FORM AND LEGALITY

30
31 Bruce O. Boxberger
32 BRUCE O. BOXBERGER, CITY ATTORNEY

Read the first time in full and on motion by Bradbury, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ .M., E.S.

DATE: 2-14-84

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury, seconded by Stier, and duly adopted, placed on its passage. PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____	_____
<u>BRADBURY</u>	<u>1</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>1</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>1</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	<u>1</u>	_____	_____	_____	_____
<u>HENRY</u>	<u>1</u>	_____	_____	_____	_____
<u>REDD</u>	<u>1</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>1</u>	_____	_____	_____	_____
<u>STIER</u>	<u>1</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>1</u>	_____	_____	_____	_____

DATE: 3-27-84

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (~~APPROPRIATION~~) (~~GENERAL~~) (~~SPECIAL~~) (ZONING MAP) ORDINANCE (~~RESOLUTION~~) NO. 3-04-84 on the 27th day of March, 1984,

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Ray A. E. E. E.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of March, 1984, at the hour of 11:30 o'clock A. .M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 30th day of March, 1984, at the hour of 12:30 o'clock P. .M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. _____

DATE FILED _____

INTENDED USE _____

THIS IS TO BE FILED IN DUPLICATE

I/We Martin W. & Dorothy E. Blakley
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-1 District to a/an R-3 District the property described as follows:

Part of Section 6, Township 30 North, Range 13 East, in Allen County, Indiana, more particularly described as follows: (Corner of Lake Ave. & Maycrest Dr. , Southwest corner)

(Legal Description) If additional space is needed, use reverse side.

Beginning at a point located 30 feet south and 639.54 feet West of the Northeast corner of Section 6, Township 30 North, Range 13 East, in Allen County, Indiana, said point being the the intersection of the South right of way line of Lake Avenue and the West right of way line of Maycrest Drive; thence West along the South right of way line of Lake Avenue and parallel to the North line of Sec. 6-30-13, a distance of 160 feet;thence South with a deflection angle (over;
(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

<u>Martin Blakley</u>	<u>2906 Lake Ave. Ft. Wayne</u>
<u>Dorothy Blakley</u>	<u>2906 Lake Ave. Ft. Wayne</u>
(Name)	(Address)

X Martin Blakley
(Dorothy Blakley)
(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____.

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

<u>Randy L. Harvey</u>	<u>5936 E. State Blvd. 46815</u>	<u>493-6568</u>
(Name)	(Address & Zip Code)	(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoned.

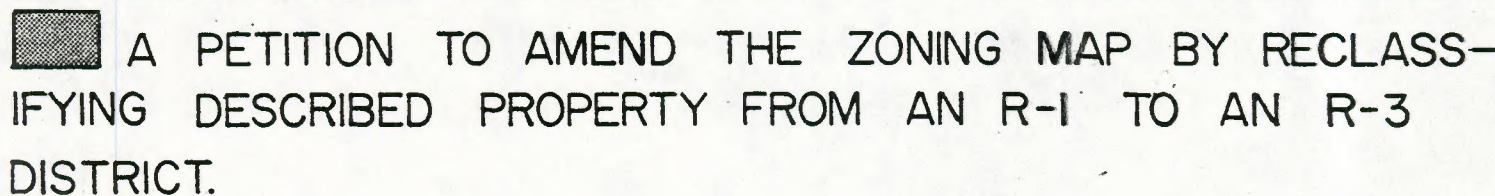
to the left of 90 degr. 29 min. 20 sec. a distance of 220 feet;thence East with a deflection angle to the left of 89 degr. 30 min. 40 sec. a distance of 160 feet to a point on the West right of wayline of Maycrest Drive; thence North along the said West right of way line a distance of 220 feet to the point of beginning, containing 0.808 acres.

Owners of Property

(Name)	(Address)	(Signature)

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.



Z-84-02-31

CERTIFICATE OF SURVEY

OFFICE OF:

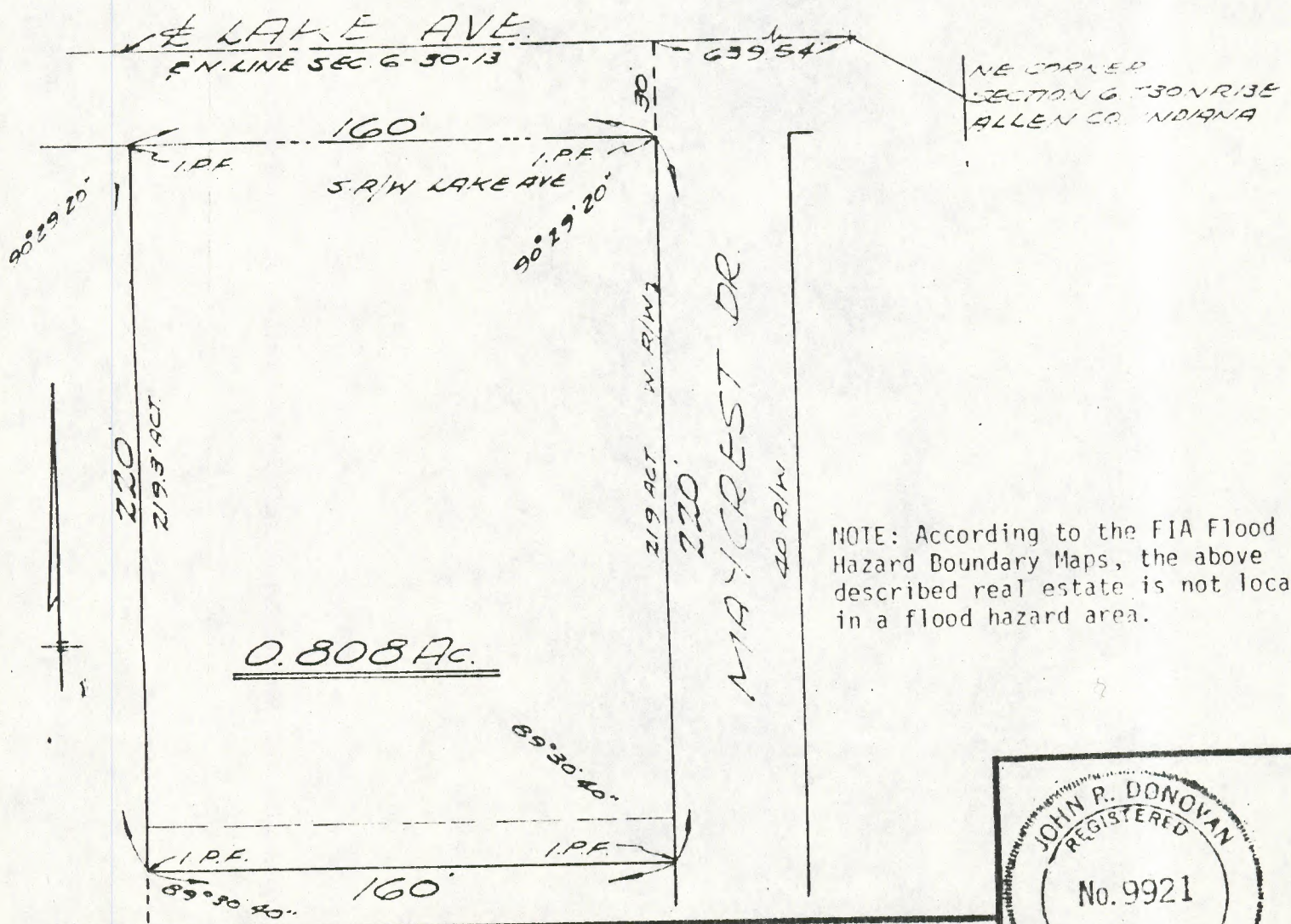
JOHN R. DONOVAN
 REGISTERED PROFESSIONAL CIVIL ENGINEER No. 9173 INDIANA
 REGISTERED LAND SURVEYOR No. 9921 INDIANA
 FORT WAYNE, INDIANA

The undersigned Civil Engineer and Land Surveyor hereby certifies that he has made a resurvey of the real estate shown and described below.

Measurements were made and corners perpetuated as shown hereon, in accordance with the true and established lines of the property described, and in conformity with the records in the office of the County Recorder, ALLEN County, Indiana. No encroachments existed, except as noted below.

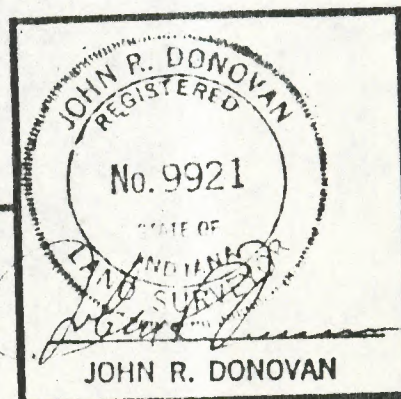
The description of the real estate is as follows, to wit: Part of Section 6, Township 30 North, Range 13 East, in Allen County, Indiana, more particularly described as follows:

Beginning at a point located 30 feet South and 639.54 feet West of the Northeast corner of Section 6, Township 30 North, Range 13 East, in Allen County, Indiana, said point being the intersection of the South right of way line of Lake Avenue and the West right of way line of Maycrest Drive; thence West along the South right of way line of Lake Avenue and parallel to the North line of Sec. 6-30-13, a distance of 160 feet; thence South with a deflection angle to the left of 90 degr. 29 min. 20 sec. a distance of 220 feet; thence East with a deflection angle to the left of 89 degr. 30 min. 40 sec. a distance of 160 feet to a point on the West right of way line of Maycrest Drive; thence North along the said West right of way line a distance of 220 feet to the point of beginning, containing 0.808 acres.



JOB FOR: BLAKLEY-BIXLER

1" = 50'
 6-30-82



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 14, 1984, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-8402-31; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on February 13, 1984;

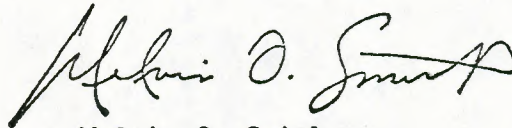
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use of value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from the condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 5, 1984.

Certified and signed this
6th day of March 1984.



Melvin O. Smith
Secretary

BILL NO. Z-84-02-31

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN
ORDINANCE amending the City of Fort Wayne Zoning Map No. Q-10.

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE Do PASS.

JANET G. BRADBURY, CHAIRWOMAN

Janet G. Bradbury

SAMUEL J. TALARICO, VICE CHAIRMAN

Samuel J. Talarico

CHARLES B. REDD

Charles B. Redd

MARK E. GIAQUINTA

Mark E. Giaquinta

JAMES S. STIER

CONCURRED IN 3-27-84
SANDRA E. KENNEDY, CITY CLERK

RECEIPT

COMMUNITY DEVELOPMENT & PLANNING

No 9100

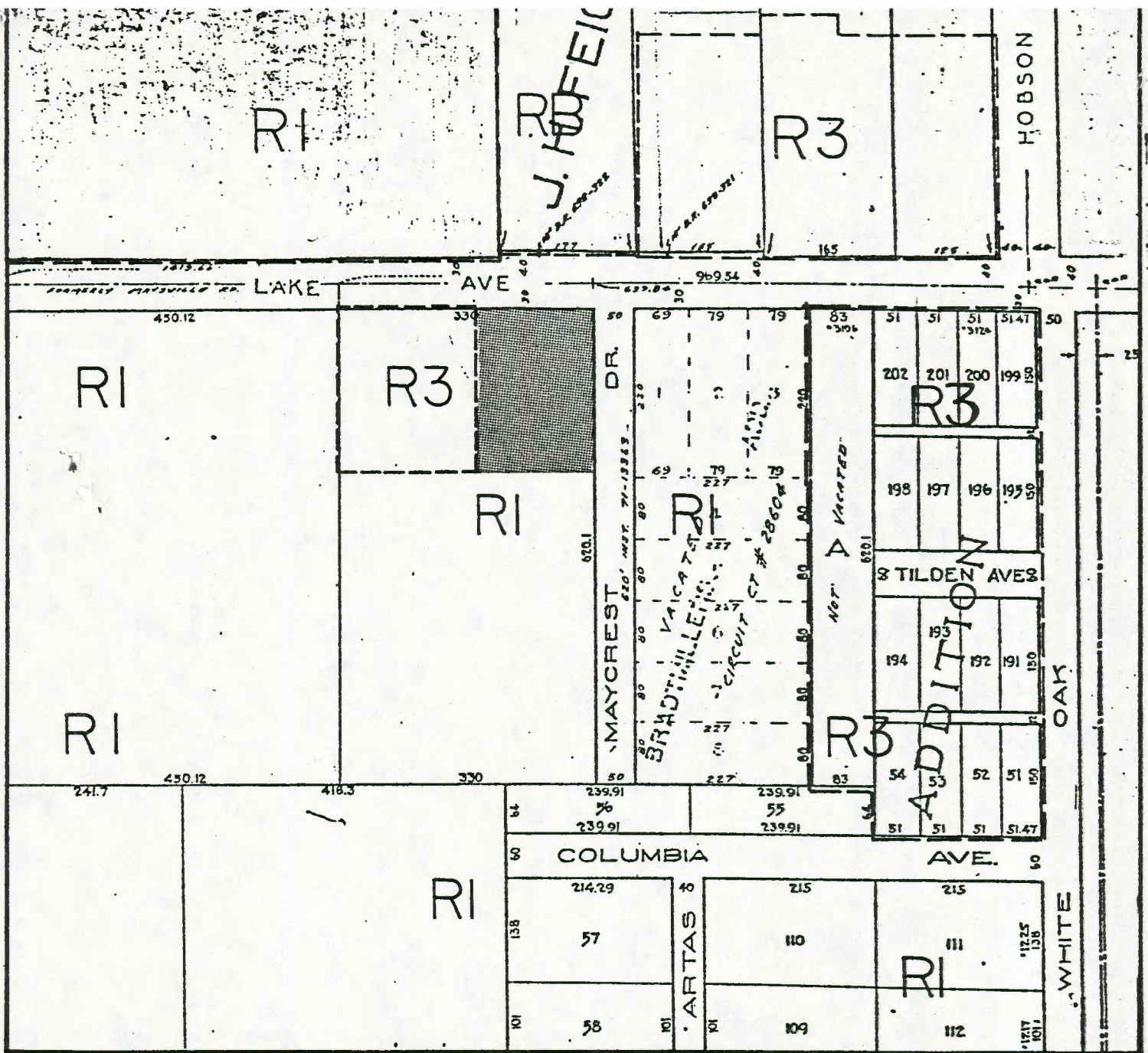
FT. WAYNE, IND., Dec. 16 1982


RECEIVED FROM Alan R. Gilbert \$ 50.00

THE SUM OF Fifty Dollars ⁰⁰/₁₀₀ DOLLARS

ON ACCOUNT OF Reynolds Application Fee and
Mayfest

Gary Butts
AUTHORIZED SIGNATURE



 A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING DESCRIBED PROPERTY FROM AN R-1 TO AN R-3 DISTRICT.

MAP NO. Q-10

Z-84-02-31



THE CITY OF FORT WAYNE
DIVISION OF LAND USE MANAGEMENT
Department of Community Development & Planning

6 March 1984

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mr. Bradbury:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held March 5, 1984. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-84-02-31
2. From R-1 to R-3
3. Intended Use: Professional Offices
4. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

REASON: The use of value of the area adjacent to the property included in this rezoning will not be affected in a substantially adverse manner.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten
Senior Planner

GFB:pb

Attachments



ORIGINAL

DIGEST SHEET

ORIGINAL

TITLE OF ORDINANCE Zoning Map Amendment

3-84-02-31

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

SYNOPSIS OF ORDINANCE Southwest corner of Lake and Maycrest.

EFFECT OF PASSAGE Property is now zoned R-1 - Single Family Residential.

Property will become R-3 - Multiple Family Residential.

EFFECT OF NON-PASSAGE Property will remain R-1 - Single Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

ASSIGNED TO COMMITTEE (J.N.) _____